

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable William A. Stone, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

F028600 People v. Riley

Cause called and argued by Sarah Pattison, Esq., counsel for appellant. Virna L. DePaul, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Stone (W.A.), J. leaves the bench and is replaced by Levy, J.

F030743 Barnes, Jr., et al. v. State of Calif. Dept. of Corrections

Cause called and argued by John F. Hodges, Esq., counsel for objector and appellant and by Eileen M. O'Hare, Esq., counsel for respondent.

Cause ordered submitted.

F029647 People v. Hustead

Cause called and argued by Robin M. Walters, Esq., counsel for appellant and by John O'Sullivan, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, June 10, 1999 at 10:00 A.M.

**F030797 Buchler v. Hammerstrom
In Re Hammerstrom Family 1990 Trust**

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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F028124 People v. Callahan

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F032152 Razzari-Visalia, Inc. v. Superior Court of County of Tulare; Daugherty, Sr. et al.

The petition for writ relief is denied. Each party shall bear their own costs. Wiseman, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033130 Debbie H. v. Superior Court of Kern County; Department of Human Services

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F028993 Smith v. Fresno Irrigation District

Respondent's petition for rehearing filed herein is denied.

F032134 Vickery, et al. v. Superior Court, Merced Co.; Gaestel Motor Co., Inc.

The petition for writ relief is granted. The trial court shall grant the motion to compel with appropriate protective orders to be specified. Costs are awarded to the Vickerys. Wiseman, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F031439 Estate of Walter F. Hogan, Deceased

The order approving final distribution of the estate is affirmed. Costs on appeal are awarded to respondents. Levy, J.

We concur: Stone (W.A.), Acting P.J.; Dibiaso, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F031971 In re Alexis S., a Minor

The judgment is affirmed. Levy, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F028325 People v. Jimenez

The true findings on the enhancements are reversed and the case is remanded to the trial court for retrial on those issues. The sentence imposed upon defendant is vacated. In all other respects, the judgment is affirmed. Should the People decline to retry the enhancements, the trial court shall resentence defendant. Buckley, J.

We concur: Dibiaso, Acting P.J.; Thaxter, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]